

REMARKS

Reconsideration of the present application is respectfully requested.

The drawings stand objected to because only two of the at least four (4) peripheral equalizer passages recited in claim 9 and discussed in the specification were shown in the Figures. In response, Applicant submits for approval a set of replacement drawing sheets that include a new Figure 6 based upon the written description discussed at least at paragraphs [25] and [28]. Thus, no new matter has been added. In addition, the section lines in other ones of the Figures have been corrected, and the view of Figure 6 has been indicated in Figure 4 by section lines 6-6. Applicant respectfully requests that the replacement drawing sheets be entered and that the outstanding objection to the drawings be withdrawn.

The specification stands objected to because of a numerical error identified in the office action. In response, Applicant has amended paragraph [20] of the specification as per the Examiner's helpful suggestion. Applicant requests that the outstanding objection to the specification be withdrawn.

Claims 1-4, 6, 7, 8 and 11-13 stand rejected under 35 USC §103(a) over Depayva et al. in view of Cholkeri et al. Applicant respectfully disagrees since Cholkeri et al. is not analogous art and thus is not available to support a §103 rejection. There should be no dispute that Cholkeri et al. is directed to blow out orifice tube for a refrigerant flow control device. Thus, Cholkeri et al. is unrelated to fuel systems for internal combustion engines, and the classifications listed on its face are distinctly different from those associated with either Depayva et al. or the claimed invention. Therefore, Applicant respectfully requests that the outstanding §103 rejections be withdrawn, or that the Examiner include in a subsequent office action the reasoning or analysis required by the MPEP to support the notion that Cholkeri et al. is analogous art to the presently claimed invention.

The office action appears to assert that Cholkeri et al. is cited for showing a poppet valve with guide surfaces separated by flats that function as fluid flow passages in the context of a refrigerate blow out orifice tube. Applicant respectfully points out that there is no need to look to the refrigerant art for that structure, as many fuel injectors include nozzle check valves that have guide surfaces separated by flats that permit fluid flow around the flats. But these fuel injector structures, like Cholkeri et al., are related to a valve member for fluid flow in a single direction, which is a distinctly different problem than that faced by Applicant's claimed invention. In other words, Applicant's claimed invention is about restricting flow to the shoulder of an intensifier piston for flow in one direction, but permitting relatively unrestricted flow in an opposite direction so that the intensifier piston may more quickly reset itself for a subsequent injection event. Neither Cholkeri et al. nor the nozzle check valves with guide surfaces/flats are related to the problems addressed by Applicant's claimed invention. Therefore, Cholkeri et al. is again shown not to be analogous art. Apparently there is no dispute that Depayva et al. can not stand alone to

support a rejection against Applicant's claims. Therefore, Applicant respectfully requests that all of the §103(a) rejections be withdrawn.

Even if the Depayva et al. could be properly combined with Cholkeri et al., the combination must still show all the features required by the Applicant's claims. In this case, claims 1 and 11 have been amended to include the subject matter of original claim 9. Since the office action included no substantive rejection of original claim 9, it would appear that amended claims 1 and 11 should be allowable over the art of record. The dependency of several claims have also been amended, and claim 12 has been amended to include the subject matter of original claim 5, which also did not appear to have been examined. Therefore, Applicant again respectfully requests that the outstanding §103(a) rejections be withdrawn.

Although Applicant disagrees with the restriction requirement, claims 14-20 have been cancelled, rendering the restriction requirement moot.

Claim 5 has been amended into independent form. Applicant respectfully points out that claim 5 does not appear to have been examined in the first office action. Therefore, Applicant respectfully requests that any subsequent office action not be made final for this reason. No additional fee is believed necessary as the application continues to include three independent claims.

This application is now believed to be in condition for allowance of claims 1-13. However, if the Examiner believes that some minor additional clarification would put this application in even better condition for allowance, the Examiner is invited to contact the undersigned attorney at (812) 333-5355 in order to hasten the prosecution of this application.

Respectfully submitted,



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